

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
RAS Crane, LLC 10700 Abbott's Bridge Road, Suite 170 Duluth, GA 30097 Telephone Number 470-321-7112 Attorneys For Secured Creditor Laura Eggerman, Esq. (LE-2000)	CASE NO.: 18-11269-KCF CHAPTER 13
In Re: Kevin J. Murphy, Debtor.	

OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN

THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK AS TRUSTEE FOR FIRST HORIZON ALTERNATIVE MORTGAGE SECURITIES TRUST 2006-FA7 ("Secured Creditor"), by and through its undersigned counsel, objects to confirmation of Debtor's Chapter 13 Plan (DE # 14), and states as follows:

1. Debtor, Kevin J. Murphy ("Debtor"), filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on January 22, 2018.
2. Secured Creditor holds a security interest in the Debtor's real property located at 2430 SYCAMORE STREET, WALL, NJ 08736, by virtue of a Mortgage recorded on October 10, 2006 in Book 8600, at Page 2509 of the Public Records of Monmouth County, NJ. Said Mortgage secures a Note in the amount of \$410,000.00.
3. The Debtor filed a Chapter 13 Plan on February 13, 2018.
4. Debtor's Plan states that the Debtor intends to sell the aforementioned real property within six-months of the date of filing. In the event that the Debtor is not successful in selling the real property the Debtor's plan is grossly underfunded and therefore infeasible.

5. Based on Debtor's Schedules, the Plan does not appear feasible due to the representation that sufficient disposable income is not available to support the proposed Plan payments. Thus, the plan violates the provisions of 11 U.S.C. § 1325(a)(6) and cannot be confirmed.

WHEREFORE, Secured Creditor respectfully requests this Court sustain the objections stated herein and deny confirmation of Debtor's Plan, and for such other and further relief as the Court may deem just and proper.

RAS Crane, LLC
Attorney for Secured Creditor
10700 Abbott's Bridge Road, Suite 170
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Telephone Number 470-321-7112

By: /s/Laura Eggerman
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NJ Bar Number LE-2000
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CERTIFICATION OF SERVICE

1. I, Laura Egerman, represent THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK AS TRUSTEE FOR FIRST HORIZON ALTERNATIVE MORTGAGE SECURITIES TRUST 2006-FA7 in this matter.
2. On 3/2/2018, I caused a copy of the following pleadings and/or documents to be sent to the parties listed in the chart below.
3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

3/2/2018

RAS Crane, LLC
Attorney for Secured Creditor
10700 Abbott's Bridge Road, Suite 170
Duluth, GA 30097
Telephone Number 470-321-7112

By: /s/Laura Egerman
Laura Egerman, Esquire
NJ Bar Number LE-2000
Email: legerman@rasnj.com

<u>Name and Address of Party Served</u>	<u>Relationship of Party to the Case</u>	<u>Mode of Service</u>
Eugene Roth, Esq. Law Office of Eugene D. Roth Valley Pk. East 2520 Hwy 35, Suite 307 Manasquan, NJ 08736	Attorney for Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other <hr/> (as authorized by the court*)
Kevin J. Murphy 2430 Sycamore Street Manasquan, NJ 08736	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other <hr/> (as authorized by the court*)
Albert Russo CN 4853 Trenton, NJ 08650-4853	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other <hr/> (as authorized by the court*)
US Dept of Justice Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102	U.S. Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other <hr/> (as authorized by the court*)